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HOUSE BILL 1402 By
Westmoreland

SENATE BILL 1680
By Fowler

**AN ACT to amend Tennessee Code Annotated
Section 40-28-122, relative to parole
revocation hearings.**

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE,

**SECTION 1: Tennessee Code Annotated 40-28-122 is amended by
adding the following as new subsection(c) and renumbering the subsequent sub-
sections accordingly:**

**(c) A laboratory report regarding a parolee's drug test may be
admissible in any parole revocation proceeding, even though
the laboratory technician who performed the test is not present
to testify, when accompanied by an affidavit containing at
least the following information:**

- (1) The identity of the certifying technician;**
- (2) A statement of qualifications from the certifying technician;**
- (3) A specific description of the testing methodology;**

- (4) A statement that the method of testing was the most accurate test for this particular drug;**
- (5) A certification that the results were reliable and accurate;**
- (6) A declaration that all established procedures and protocols were followed; and**
- (7) A statement of acknowledgment that submission of false information in the affidavit may subject the affiant to prosecution for the criminal offense of perjury pursuant to Tennessee Code Annotated 39-16-702.**

SECTION 2: This act shall take effect upon becoming law, the public welfare requiring it.